In Washington . . .

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By Martha Angle and Robert Walters

'Whistle-blowers' beware!

WASHINGTON (NEA) - During a campaign visit to suburban Alexandria, Va. two weeks before the 1976 presidential election, Democratic candidate Jimmy Carter pledged his support on behalf of government "whistle-blowers."

"I intend to seek strong legislation to protect our federal employees from harassment and dismissal if they find out and report waste and dishonesty by their superiors or others," Carter promised on that autumn day.

"The Fitzgerald case, where a dedicated civil servant was fired from the Defense Department for reporting cost overruns, must never be repeated," he added.

A. Ernest Fitzgerald is perhaps the government's best known whistle-blower. He was fired from his job as an Air Force cost management expert in 1969, after revealing to a congressional committee that cost overruns on the C-5A cargo plane would cost the taxpayers $2 billion.

Harold Brown, Secretary of the Air Force at the time of the embarrassing disclosures, asked his staff to prepare a memo outlining ways to dispose of Fitzgerald, then presided over the firing. When Carter was elected president, he brought Brown back into government as Secretary of Defense.

Fitzgerald also has returned to the Pentagon, but he took a different route. After a four-year legal battle that cost an estimated $400,000 to $500,000, he won reinstatement to the federal payroll in 1973 and was given a new title, Air Force Deputy for Productivity Management.

But today Fitzgerald works from a small office in the Pentagon attic and has been prohibited by his superiors from scrutinizing any major weapons systems in search of waste, dishonesty or inefficiency. The president has lost interest in "the Fitzgerald case."

When Carter recently was asked about Frank Snepp, the former Central Intelligence Agency analyst whose book revealed CIA bungling on a massive scale in the closing days of the Vietnam war, he offered a chilly response.

Criticizing those who "write a book revealing our nation's utmost secrets," the president said "I don't look on Frank Snepp as one of the greatest whistle-blowers of all times."

Nevertheless, Carter continues to profess concern for the plight of what he calls "legitimate whistle-blowers."

When he recently unveiled his plan for civil service reorganization, the president noted that it included "an Office of Special Counsel . . . to protect (those) who expose gross management errors and abuses."

But the White House proposal includes precious little to encourage and even less to protect government employees who disclose wrongdoing.

Carter's plan authorizes the Special Counsel to intervene in instances where a whistle-blower is demoted, suspended or transferred — but not in cases of dismissal. Thus, the proposal encourages firing, the most extreme sanction against boat-rockers.

The Special Counsel also lacks the power to enforce any order against a presidential appointee, the category of federal officials that includes all cabinet-level and sub-cabinet policy-makers — the people who usually do the firing in sensitive cases.

Whistle-blowers have limited protection if they disclose an offense covered by law or regulation, such as corruption, fraud or dishonesty. But there is no similar provision covering waste, inefficiency or negligence.

Also unprotected is the disclosure of classified information, thus perpetuating a discredited system under which bureaucrats use a "top secret" status to forever hide their mistakes from the public.

If Carter's proposal had been in effect during Fitzgerald's battle with the Air Force, "it would have hurt rather than helped," says Fitzgerald. "It appears to strip away rights that I presently have."

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